

### **REMARKS**

Claims 2 and 7-12 are pending in this application, with claims 7 and 8 withdrawn from consideration. By this Amendment, claims 2 and 10 are amended and claims 1 and 3-6 are canceled. Claim 10 is amended to address a rejection under 35 U.S.C. 112.

No new matter is added to the application by this Amendment. The language added to claim 2 finds support in claim 7 and Example 6 of the specification, as originally filed.

Reconsideration of the application is respectfully requested.

#### **I. Rejection Under 35 U.S.C. 112**

Claims 1-6 and 9-12 were rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. This rejection is respectfully traversed.

The Patent Office alleges that claims 1 and 2 recite the limitation “the water-absorbing resin particles” in line 7 which does not have sufficient antecedent basis for this limitation in the claim. Additionally, the Patent Office notes that claims 4 and 10 in line 3 require “250 to 500 g/m<sup>2</sup> or more” which is interpreted as requiring 250 g/m<sup>2</sup> or more.

In view of the cancellation of claims 1 and 3-6, this rejection is moot with respect to those claims.

Claims 2 and 10 were amended to address the rejections under 35 U.S.C. §112, second paragraph, as set forth in the Office Action. Claim 2 was amended to replace the phrase “the water-absorbing resin particles” with the phrase “water-absorbing resin particles”. Claim 10 was amended to remove the phrase “to 500” therefrom.

Applicants submit that the amendments to the claims overcome the rejections under 35 U.S.C. 112, second paragraph.

Thus, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. 112, second paragraph.

## **II. Rejections Under 35 U.S.C. 103**

### **A. Tsuchiya et al. in view of Newkirk et al. or Coates et al.**

Claims 1 and 3-5 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,962,068 to Tsuchiya et al. (hereinafter “Tsuchiya”) in view of U.S. Patent No. 5,143,779 to Newkirk et al. (hereinafter “Newkirk”) or U.S. Patent No. 3,291,677 to Coates et al. (hereinafter “Coates”). This rejection is respectfully traversed.

In view of the cancellation of claims 1 and 3-5, this rejection is moot.

Thus, withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

### **B. Tsuchiya and Newkirk or Coates further in view of Igaue et al. or Mukaida et al.**

Claims 2 and 9-11 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Tsuchiya in view of Newkirk or Coates and further in view of JP 2-74254 to Igaue et al. (hereinafter “Igaue”) or U.S. Patent No. 5,672,419 to Mukaida et al. (hereinafter “Mukaida”). This rejection is respectfully traversed.

The Patent Office acknowledges that Tsuchiya and Newkirk or Coates does not teach the thermo-compressing the water-absorbing composite (see page 5 of the Office Action). The Patent Office introduces Igaue or Mukaida as allegedly teaching that it is well taken finishing operations for water-absorbing composites such as for a diaper or

sanitary napkin include compressing at a given temperature, i.e. thermo-compressing, the product to changes it surface finish as shown by either one of Igaue or Mukaida.

Moreover, the Patent Office alleges that it would have been obvious to one having ordinary skill in the art to include in Tsuchiya as modified by Newkirk or Coates for providing a well taken thermo-compressing finishing operation to increase it water-absorbing properties or change its surface finish as shown by either one of Igaue or Mukaida. Applicants respectfully disagree with these allegations.

None of Tsuchiya, Newkirk, Coates, Igaue and Mukaida, taken singly or in combination, teaches or suggests a process for manufacturing a water-absorbing composite having the step of thermo-compressing the water-absorbing composite prepared in step (B) by passing the water-absorbing composite between a pair of rollers, wherein at least one of the pair of rollers has a surface with an uneven pattern as required in amended claim 2. Moreover, none of Tsuchiya, Newkirk, Coates, Igaue and Mukaida, taken singly or in combination, teaches or suggests the excellent water-absorbing composite obtained by the process of claim 2.

Because these features of independent claim 2 are not taught or suggested by none of Tsuchiya, Newkirk, Coates, Igaue and Mukaida, taken singly or in combination, these references would not have rendered the features of claim 2 obvious to one of ordinary skill in the art.

For at least these reasons, claims 2 and 9-11 are patentable over the applied references. Thus, withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

C. **Tsuchiya and Newkirk or Coates in view of Shiba et al.**

Claims 6 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Tsuchiya and Newkirk or Coates and further in view of U.S. Patent No. 4,652,484 to Shiba et al. (hereinafter “Shiba”). This rejection is respectfully traversed.

In view of the cancellation of claim 6, this rejection is moot.

Thus, withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

C. **Tsuchiya and Newkirk or Coates in view of Shiba et al.**

Claim 12 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Tsuchiya and Newkirk or Coates, and Igaue or Maukaida and further in view of Shiba. This rejection is respectfully traversed.

Shiba does not remedy the deficiencies of Tsuchiya and Newkirk or Coates in view of Igaue or Maukaida as described above with respect to claim 2, from which claim 12 depends.

None of Tsuchiya, Newkirk, Coates, Igaue, Maukaida and Shiba, taken singly or in combination, teaches or suggests the step of thermo-compressing the water-absorbing composite prepared in step (B) by passing the water-absorbing composite between a pair of rollers, wherein at least one of the pair of rollers has a surface with an uneven pattern as required in amended claim 2, from which claim 12 depends.

Accordingly, reconsideration and withdrawal of the rejection of claim 12 under 35 U.S.C. §103(a) are respectfully requested.

**III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of

claims 2 and 7-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Early and favorable action is earnestly solicited.

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If any extension of time for this response is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,

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